

Message Text

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64
ORIGIN ACDA-10

INFO OCT-01 ISO-00 ERDA-05 AF-06 ARA-06 CIAE-00 DODE-00

EA-06 EUR-12 PM-03 H-02 INR-07 IO-10 L-03 NASA-01

NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01

OES-03 SS-15 USIA-06 SAJ-01 /118 R

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E:WSHINN OSD:DMAHLBERG

NSC:DELLIOTT JCS:VJOHNSON

S/P:WGATHRIGHT ACDA/GC:MMAZEAU

PM:VBAKER ACDA/IR:DBLACK

EUR:BZOOK

L:MMATHESON

IO:RLONG

INR:RBARAZ S/S:PSHANKLE

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P 152313Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW PRIORITY

INFO USMISSION NATO PRIORITY

USMISSION GENEVA PRIORITY

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E.O. 11652:XGDS-3 IMPOSSIBLE TO DETERMINE

TAGS:PARM, CCD, UN, US, UR

SUBJECT: ENMOD -- ILLUSTRATIVE DRAFT TREATY

DISTO

REF: (A) GENEVA 4739; (B) GENEVA 4740

1. PLEASE INFORM APPROPRIATE FOREIGN MINISTRY OFFICIALS
(AND REQUEST THAT THEY ALSO INFORM HEAD OF SOVIET ENMOD
DEL, FEDOROV) THAT ILLUSTRATIVE DRAFT TREATY NEGOTIATED
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DURING THIRD ROUND OF US-SOVIET CONSULTATIONS ON ENVIRONMENTAL WARFARE RESTRAINTS HAS BEEN REVIEWED BY THE U.S. GOVERNMENT AND THAT THE U.S. PROPOSES THE CHANGES GIVEN BELOW. YOU SHOULD ALSO INDICATE THAT WE WOULD HOPE FOR A

SOVIET RESPONSE AS SOON AS POSSIBLE.

2. CHANGES PROPOSED BY U.S. SIDE ARE AS FOLLOWS:

(A) ARTICLE I, CHANGE TO READ: "UNDERTAKES NOT TO ENGAGE IN ANY HOSTILE USE". SINCE REFERENCE TO "HOSTILE USE" WOULD COVER PROHIBITED MILITARY USES AS WELL AS OTHER

SITUATIONS, THIS CHANGE RELIEVES THE REDUNDANCY OF THE PRESENT DRAFT AND REFLECTS THE BASIC OBJECTIVE IN A MORE STRAIGHTFORWARD MANNER. THIS CHANGE WOULD ALSO PRECLUDE THE MISINTERPRETATION THAT VIRTUALLY ANY MILITARY USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES COULD BE CONSIDERED HOSTILE.

(B) TITLE: CHANGE TO READ "CONVENTION ON THE PROHIBITION OF HOSTILE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES". THIS IS TO MAKE THE TITLE CONFORM TO THE LANGUAGE USED IN ARTICLE I.

(C) ARTICLE II: CHANGE TO READ AS FOLLOWS:

---- "AS USED IN ARTICLE I, THE TERM "ENVIRONMENTAL MODIFICATION TECHNIQUES" REFERS TO ANY TECHNIQUE FOR

CHANGING -- THROUGH THE DELIBERATE MANIPULATION OF NATURAL PROCESSES -- THE DYNAMICS, COMPOSITION OR STRUCTURE OF THE EARTH, INCLUDING ITS BIOTA, WATERS, AND ATMOSPHERE, OR OF OUTER SPACE, SO AS TO CAUSE SUCH EFFECTS AS EARTHQUAKES AND TSUNAMIS, AN UPSET IN THE ECOLOGICAL BALANCE OF A REGION, OR CHANGES IN WEATHER PATTERNS (CLOUDS, PRECIPITATION, CYCLONES OF VARIOUS TYPES AND TORNADIC STORMS), IN THE STATE OF THE OZONE LAYER OR IONOSPHERE, IN CLIMATE PATTERNS, OR IN OCEAN CURRENTS."

THESE CHANGES ARE INTENDED TO CLARIFY OUR UNDERSTANDING ON SUBSTANCE, THUS REMOVING AMBIGUITY ABOUT THE SCOPE
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OF THE PROHIBITION. THE WORDS "WHOSE USE CHANGES" HAVE BEEN REPLACED BY "FOR CHANGING" TO MAKE IT CLEAR THAT INCIDENTAL EFFECTS OF OTHER TECHNIQUES OF WARFARE ARE NOT INCLUDED. THE PHRASE "THROUGH THE DELIBERATE MANIPULATION OF NATURAL PROCESSES" HAS BEEN INCORPORATED TO DISTINGUISH ENVIRONMENTAL WARFARE TECHNIQUES FROM OTHER POSSIBLE METHODS FOR CHANGING THE NATURAL ENVIRONMENT IN A WAR ZONE, FOR EXAMPLE, USE OF HIGH EXPLOSIVES.

FINALLY, THE ENVIRONMENTS COVERED HAVE BEEN DESCRIBED IN MORE GENERAL TERMS IN ORDER TO ELIMINATE POSSIBLE GAPS IN COVERAGE IN THE ILLUSTRATIVE DRAFT. FOR EXAMPLE, IT WAS NOT CLEAR THAT THE DRAFT COVERED INLAND BODIES OF

WATER, GLACIERS, OR POLAR ICE CAPS, AND THE TERM BIOSPHERE
APPEARED TO OVERLAP OTHER CATEGORIES.

(D) ARTICLE V, PARA 4: CHANGE "HARMED" TO "HARMED
OR IS LIKELY TO BE HARMED". IT IS POSSIBLE THAT THE HARM
RESULTING FROM A VIOLATION, WHILE PREDICTABLE, MAY NOT BE
FELT IMMEDIATELY. TIMELY ASSISTANCE COULD BE INSTRUMENTAL
IN AVERTING HARM.

(E) ARTICLES VI, VIII, AND IX: CHANGE "DEPOSITORY"
TO "DEPOSITORY". THIS CORRECTS A SPELLING ERROR IN THE
ENGLISH VERSION. INGERSOLL

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